

Franklin County Council December 12, 2006 in Government Center Meeting Room @ 7:00 p.m.

Attendance:

Donald "Butch" Williams      Carroll Lanning      Kenneth Rosenberger      Hollie Sintz      Robert Runyon      Jeff Koch

Elected Officials:      Louis Linkel      Dale Maxie      Marlene Flaspohler      Sharon Halcomb

Franklin County Chief Deputy Auditor: Veronica Voelker

\*Donald "Butch" Williams opens with pledge of allegiance, and welcomes everyone to first County Council meeting in the new Government Center

- I. Minutes November 8, & 28, 2006
  - a. Kenneth Rosenberger - moves to accept minutes Nov 8 and Nov 28 as presented
  - b. Hollie Sintz- seconds the motion
  - c. Donald "Butch" Williams – all in favor; motion carried
- II. Transfer of Funds (**Resolution 2006-33**)
  - a. Donald "Butch" Williams – reads transfer of funds
  - b. Hollie Sintz – motion to accept transfer of funds 2006-33
  - c. Jeff Koch - seconds the motion
  - d. Donald "Butch" Williams – all in favor; motion carried
- III. Additional Appropriation (**Resolution 2006-34**)
  - a. Donald "Butch" Williams – reads resolution for additional appropriation
  - b. Hollie Sintz - I saw Larry Franzman today and he couldn't make it. There is an extra line in there about additional I think it should explain it.
  - c. Donald "Butch" Williams – Okay, the additional amount out of county general \$2,425.00 is for area plan court cases. The explanation for the request signed by Larry Franzman (see additional appropriations).
  - d. Hollie Sintz – He (Larry Franzman) just told me that the lawyer (Mel Wilhelm) is charging more per hour, I can't remember the amount off the top of my head and if he (Larry Franzman) don't get this additional then he will have to take out of next years budget. He said there is a big case that might go up next year.
  - e. Donald "Butch" Williams – It is included in the request the accounts payable voucher from the attorney Mel Wilhelm. 51 hours at \$175.00 per hour and then there is an invoice included which includes the cases, the dates and the hours being billed for.
  - f. Hollie Sintz – move to accept resolution 2006-34 except county general for area plan amount of \$2,425.00.
  - g. Jeff Koch – seconds the motion
  - h. Donald "Butch" Williams – all in favor; motion carried.
- IV. 2006 Amended Salary (**Ordinance 2006-17**)
  - a. Donald "Butch" Williams – on the very last page section 100. Reads amendment/change to ordinance 2006-17
  - b. Marilyn Miller - It is important for all departments to be paid according to the salary ordinance
  - c. Donald "Butch" Williams - It needs to be repeated and understood the county council is the fiscal boss of the county. There are few laws we can make but one thing we do is the salary ordinance. The law states we have to approve the salary ordinance therefore it is a law and must be followed.
  - d. Kenneth Rosenberger – we set the wage but not the hours
  - e. Donald "Butch" Williams - we set the pay, the hourly rate is for reference more than anything, hours are set by the department
  - f. Dale Maxie – the previous sheriff changed the hours from 32.5 to 40. Never gave them a raise. I am asking to have their hours put back to 34.5 hours. We're just talking about two people.
  - g. Donald "Butch" Williams – that's not involved in what we are doing at this minute but it is something we want to address tonight. Right now we have to address the amendments to the current salary ordinance.
  - h. Kenneth Rosenberger – motion to approve amended salary ordinance 2006-17
  - i. Robert Runyon – seconds the motion
  - j. Donald "Butch" Williams - all in favor; motion carried.
- V. Margaret Mary Hospital (Abatement/Refund Issue)
  - a. Adam Richter- Hanson Center is an oncology center that provides therapeutic services and because it is owned by Margaret Mary, a nonprofit corporation it also operates as a tax exempts use. So, ordinarily this is a building that would not have property taxes against it. Due to confusion, Margaret Mary missed the filing deadline to claim the exempt status on the Hanson Center. The Hanson Center became taxable for 2005 for property taxes due in 2006. On the discovery the deadline was missed Margaret Mary went through the appeals process in which they tried to gain an exemption. Appeals have been unsuccessful. During this process the hospital approached Batesville regarding property tax abatement. We approached the city of Batesville based on assessed value, employment and revenue numbers. The city agreed the building qualified for the property tax abatement and granted one year property tax abatement for 2005 payable in 2006 property taxes. The meetings took place in June and July. Shortly thereafter we took our abatement filings and other paperwork to the county auditor to have those papers processed. The auditor was rightfully skeptical when she received the materials. She wanted to confer with county commissioners regarding their feelings. There were discussions with Lou Linkel, the auditor and Gene Stewart with the outcome being a letter stating the commissioners were fine with the abatement and had no objections but because this entails a refund of taxes already paid the matter needed to be discussed by the council before anything else goes forward.
  - b. Robert Runyon - how much money are we taking about ?
  - c. Adam Richter – about \$62,000.00.- As long as the building used as it is today – an oncology center or something related to that – exemption will go on. Once a building is exempt, the assessor is required to send a notice every year that your exemption filing is coming up. Sharon (Halcomb, County Assessor) did actually send one but it went to the wrong address.
  - d. Donald "Butch" Williams - it's not like a 10 year abatement, it's just your exempt.
  - e. Adam Richter- only for one year and only on 2005 taxes and only applies to increase in assessed value caused by building. This is not a 100% abatement of all taxes paid. It is a big portion of it. What it is abating is the assessed value of the building, just the new building.
  - f. Carroll Lanning – with this \$62,000.00 is that all on the building or should some of it be on the ground?
  - g. Adam Richter - \$62,000.00 we are asking for is on the building. The total taxes paid are about \$64,500.00. Therefore, that tells you how much the land increased – not a whole lot.
  - h. Donald "Butch" Williams- I was contacted by Adam and met with Brian Daeger and he told me just what we are hearing now. I explained that no decisions were made. First question: I wanted to find the redevelopment real property in an economic revitalization area the code that covers that and that is what you have done for 2006. First I found a paragraph that said you couldn't make this retroactive then I found one that it can be done. However I found something as far as repayment – the taxes were paid and that was used in revenue we figured on for our budget for 2007. So the money has basically been budgeted. The ordinance is under IC 61.1-12.1-9.5 waiver of non-compliance. You guys have said you are open to options.
  - i. Brian Daeger – we don't want to put an undue burden on the county and we realize it has already spoken for, not spent but earmarked. We just want to come to an agreement

- j. Adam Richter – I don't have a familiarity with that area of the I.C. without having actually read it. As far as the DLGF's role in here, I don't know. The only communication I am aware of is the email Carol sent and I don't know what communications were initially between them but I sent a response. Everything was complied with as far as the statue was concerned.
- k. Robert Runyon - taking one year
- l. Adam Richter - The resolution passed by Batesville only entitles Margaret Mary to an abatement to only one year and only for these taxes. We wouldn't try to go back and get another one because we have our exemption in place. And if we wanted to go and get an abatement for whatever reason we would have to go through the whole process again and ask for a different year. On the Hanson Center we wouldn't be able to get one.
- m. Robert Runyon - would want to wait until Carol L. Monroe is present. We are right on the cutting edge of running this county and we won't know till about February 20<sup>th</sup> to know what is coming down. Myself, I want the Auditor here, she is the chief financial officer of the county and she is telling us something here.
- n. Adam Richter – Part of the reason why we are here is because she made the point this isn't budgeted and even if we filed our 17T and ended up that we were entitled to \$62,000.00 it would still be a practical problem. That is why we are here to solve the problem. As far as her concerns that she stated in her email, in a phone conversation the day before her last day, my email took care of all of her concerns with the abatement. I know she isn't here to confirm this.
- o. Jeff Koch – Find out exactly when we found out because if it happened before budget hearings if we knew this could happen we could have budgeted in this '07 budget for it, but we didn't. So, that is another question I think as council we need to ask.
- p. Hollie Sintz – I think it should be taken care of when we get the figures back.
- q. Adam Richter – When you say get the numbers back that refers to?
- r. Donald "Butch" Williams – we submitted our proposed budget in August rather than September. That is submitted to DLGF and we have to wait for them to approve our budget based on receipts and expenditures. And we have not received that approval yet, so in other words we have approved a tentative budget. That is probably the date we would be looking at February 20 or in that area when we would receive that. Our budget may be in good shape but they have sent it back and we have had to cut our budget from where we were or we may have some cushion. So, I think that is what Hollie is referring to. We at this time, since I think we do have some time and we want to do this in good faith. We would better be able to tell or work a plan of what we can afford – maybe it's a lot or maybe it's a little when we know those figures that's what we're saying. Speaking for myself, Margaret Mary does the community very much service. They are in an area where we anticipate a lot of growth in the near future. So they are going to need to grow. We want to work this out in a timely manner but at the same time we want to make sure that the t's are crossed and the i's are dotted. The other question I have, I mentioned it to you in the hall and I know it's not something for him to answer really. I think it is for our county attorney to find out but, in all of this my question is after the assessment was made and you went back to the assessor to appeal the tax. She overturned it and you went to the P and O Board, they overturned it then you actually went to the state.
- s. Adam Richter – This was for the exemption.
- t. Donald "Butch" Williams – Right, for the exemption. So all of this stuff was actually a county matter and the county billed for the taxes correct, that you paid and you paid Franklin County taxes.
- u. Adam Richter – That's right, now I know where you're going.
- v. Donald "Butch" Williams – So how then did Batesville City then make this next step that they can take it over as the ERA – economic revitalization area? The reason I ask this question is, because in the future if there is growth, we need to know that question so we don't have this same problem again.
- w. Adam Richter- As far as the communication between the city of Batesville and the county regarding abatements I can't really comment. I don't know of any other location in Franklin County.
- x. Brian Daeger- I know of one location
- y. Adam Richter – The city authorized the result.
- z. Donald "Butch" Williams - I think that is one of the things the council needs to research a little bit. We need to work with the city of Batesville so everybody will know what page we're on. It comes as a complete shock to me and the rest of them now.
- aa. Adam Richter – One of the reasons why we're here is to ask to have the abatement processed. The other question is given the date the info. from the DLGF would come back, what would be the next proposed step? Are the open budgetary meetings held at that point or is everything done in council meetings here. What would you suggest?
- bb. Donald "Butch" Williams - Our annual budget is done in open budget hearing just for that purpose. All other business is done in council meetings or special meetings if they need to be called.
- cc. Adam Richter – So we would be looking at the March meeting before anything would be determined. The plan is to wait until the numbers come back from the DLGF.
- dd. Donald "Butch" Williams – I would say at this point you would be looking at until we hear from DLGF and that may be March. And that is the best I can tell you on that. One year we waited clear up to June. I hope that doesn't happen again. We aren't trying to put you off. We need to know where we stand and what we can afford.
- ee. Jeff Koch – Right now you are waiting for the auditor to process your abatement?
- ff. Adam Richter – Right, what happens is in Margaret Mary's case they abatement was granted by resolution.
- gg. Donald "Butch" Williams – The abatement you are talking about would take care of January 1 and on.
- hh. Adam Richter – Well, on Jan 1 we would be in 2006 property taxes which are payable in 2007 and those are exempt. This is actually processing taxes from Jan 2005 and throughout 2005.
- ii. Donald "Butch" Williams - That is the abatement you are wanting us to sign
- jj. Adam Richter – there is a formal appeal process. There are time restrictions as far as getting that appeals process started. So, it is really on the auditor. If she is willing to waive her requirements as far as getting the appeal process started.
- kk. Donald "Butch" Williams - You want the auditor to go on and process the 2005 abatement and Batesville made this an economic revitalization area for what year?
- ll. Adam Richter – 2005.
- mm. Donald "Butch" Williams – So, if they had the authority to do that then why do you need our approval to tell the auditor to go ahead and process the abatement.
- nn. Adam Richter – Well they don't. We're here because the auditor stated we needed to talk to the commissioners about this. If we talk to the commissioners and they have any objections but felt because it is retroactive and because the taxes have already been budgeted for. This was a special circumstance and needed to go before the council since they do the budget and this is how we made a segue way into this meeting this evening.
- oo. Donald "Butch" Williams – We want to get this done and do what's right for Margaret Mary. You're the guinea pig so we will know when this happens again, what is going on. So what do we want to do? Do you want to make a motion or do you want to sit back and let the auditor handle it?
- pp. Jeff Koch – You're saying we need a motion that she go ahead and process the abatement. Is that what you're asking?
- qq. Adam Richter – I think she is looking for reassurance the county is willing to go ahead and process the abatement.
- rr. Jeff Koch – I move that the auditor process the abatement for Margaret Mary Hospital.
- ss. Hollie Sintz - seconded the motion
- tt. Robert Runyon - opposed
- uu. Donald "Butch" Williams - abstained - motion carried

- a. JoAnn Sottong- at last meeting we were asked to write supporting documents for the amount money or organizations spent on animal care and rescue. On my personal spending the receipts I could locate came to \$12,287 for 2006. I also made a tape I have here. I would like to point out this amount is really insignificant when compared to what goes into this work.
- b. Theresa - medical expenses, funds of that nature medicine, food bowls, etc this come from our organization or own money not from the county or tax payers. That's why I don't understand why I didn't quite understand why Mr. Lanning this group was so concerned about the money donated?
- c. Carroll Lanning – I was just trying to determine the amount of donations being received. How much is coming in and how much is going out.
- d. Joann Sottong - We appreciate the county council for making things better for the animals.
- e. Louis Linkel-Tom Wilson wants to pay out Cum. Cap. additional for the first of January for \$8,000.00
- f. Donald "Butch" Williams – You wanted to know what was spent. The total budget for supplies total \$11,546.96 The comment I have it stated in the paper two times in your article that Louie has done this by himself 24/7 did I read that right? How far back would that be? I would be remiss if I didn't mention Mendall Cummins and the county budgets for part time help \$6,520.00. So he has been there. The way the comment reads in the paper it sounds like you don't have any help until recently. I am not saying this for us but to recognize Mendall.
- g. Joanne Sottong – He was doing it all by himself and now there is help with feeding and watering the animals.
- h. Donald "Butch" Williams – there is another person but I can't remember his name.
- i. Joanne Sottong – Jim Hodap
- j. Donald "Butch" Williams - Jim Hodap helps now with pound as well.
- k. Joann Sottong - we are on the track

VII. Mel Wilhelm-

- a. Mel Wilhelm- Was mentioned budget hearings. I made a motion to sign this. It is consent of the county council whereas the prosecuting attorney of the 37<sup>th</sup> district desires to elect and devote the prosecuting attorney's full professional time to the duties of the office of prosecuting attorney.
- b. Robert Runyon - motion sign this full time
- c. Carroll Lanning – second (the motion)
- d. Donald "Butch" Williams - all in favor , motion carried
- e. Mel Wilhelm – For our 4-d personnel she, Diane Singer is \$7,500.00 short. We are putting her back to what she was last year.
- f. Mel Wilhelm - Reimburse 66 percentage
- g. Sharon Newkirk - What taken out of the county general is put back
- h. Mel Wilhelm - We are going to run behind when the new court comes through. If you check with surrounding counties you would find they have an average of 7 staff and an investigator. Years ago I gave up my investigator to help you guys out.
- i. Hollie Sintz - I think we should wait till Carol L. Monroe gets back with an explanation
- j. Mel Wilhelm – I want to make sure she gets paid right.
- k. Donald "Butch" Williams - Revisit in January at our meeting.

VIII. Letter

- a. Donald "Butch" Williams – Received a letter from DLGF basically stating they are concerned about that Franklin County had not turned in the ratio study for the 2006 for review and approval. I called Sharon today and I will let her repeat where she stands on this.
- b. Sharon Halcomb – This is the first time they have actually sent a letter to all the legislators but I get these types of letters from them all the time because since 2002 we have never been on time. Two of the issues they say we are non compliant with is the first one is the sales disclosures – that we haven't submitted the 2004-2005 and we're not compliant. We have submitted them, we submitted them in September and I just received a fax week before last that we are not compliant. When one of the reasons is because our district numbers are wrong. The girls in the auditor's office will tell you it has to do with the way they line up our districts. Their taxing districts are different than our taxing districts. So, when we submitted our 2004-2005 sales disclosures, we had the wrong taxing districts in there. I never gave it a thought that the taxing district numbers were in there because we were more concerned about the amount of the sale, parcel number and you know. So when they come back and say you're not in compliance because you are using local taxing district numbers and not the state taxing district numbers. So, I've had the company who was hired to do our sales disclosure flip those for me and those are alright and that needs to be resubmitted. There were a few other issues with the sales disclosures and they will have to be looked up. I have an email from the ASII who has our sales disclosure where he says he has flipped those numbers and we need to submit as soon as possible. We are working on that. The second issue of noncompliance is the ratio study. Debbie called Lana Boswell who works for Nexus which is the company who is doing our trending and ratio studies and she didn't get everything they need from us until this week. She is working on it. I have had correspondence with her because they had an issue with sales disclosures and she needs those to do the trending and ratio study. I have an email from her this morning stating she got what she needed from another employee that works for them and they are on a roll. I don't look for that to take longer than a week or two to get that completed. I responded to the letter with an update. It is something we are actively working on.
- c. Donald "Butch" Williams - Senator Jackman called me last night to let me know he had received the letter. I talked to Vickie this morning and got the same answer.
- d. Sharon Halcomb – I feel those letters need to go out. Ratio studies have to do with the trending and reassessment.
- e. Donald "Butch" Williams – Okay
- f. Sharon Halcomb – Did you contact that number listed on the form?
- g. Donald "Butch" Williams – no I did not. You said you had and I think that is all that is necessary. But I will.
- h. Sharon Halcomb – Well, I guess it looks better if more respond and telling them we are moving forward.
- i. Donald "Butch" Williams – I will do that and I will contact Senator Jackman tomorrow and tell him too.
- j. Sharon Halcomb – will you also tell them this is the first time we received this letter. Can you find out if this is standard procedure – is this really bad or what? Everybody wants everything now and it is really unrealistic. They want us to stay current and go back to work on things from 2003.

IX. Ordinance 2006-18

- a. Donald "Butch" Williams - Carol L. Monroe wanted if we would consider this ordinance.
- b. Donald "Butch" Williams - Reads the ordinance
- c. Hollie Sintz – I have a question is this about Franklin County General?
- d. Donald "Butch" Williams – This is based on an ordinance Dearborn County adopted in 2003.
- e. Marlene Flaspohler- Can you explain, what does it mean?
- f. Donald "Butch" Williams – Where this all came about was that it was said it is unreasonable to have a budget and not expect to make additional appropriations. So a mass email was sent to auditors all over the state asking do you do additional in your county or don't you. About half came back and said yes they do under extreme circumstances such as utilities that we had to do last month for the jail. But then Kerry Pickens sent this instead, what the intention is so that somebody doesn't just go out and spend a bunch of money and then come in and say I have already spend so you have to paid it. And that has happened. So if somebody has done that, spent money they weren't budgeted for, they would have to pay it themselves, they would be responsible. That is my take on it.
- g. Hollie Sintz – We have been appointed or elected certain positions. The taxpayers trust the elected officials to make right decisions. It seems harsh because there are certain circumstances in which you don't realize you're out of money.
- h. Sharon Halcomb – If you have money in your budget can you transfer money from one account to another?
- i. Marlene Flaspohler – If you have the additional amount, you (commissioners) can still deny it?

- j. Donald "Butch" Williams - We have the power to deny it but I am not saying this is the perfect wording. I am just saying what if someone does come in and do what was described? Who pays the bills?
  - k. Robert Runyon- Carol has to pay it but if the funds are not there she is breaking the law. One of the letters you read, they have to transfer within the department first.
  - l. Donald "Butch" Williams - One county said they transfer everything out of their own and then they go to other departments like Sharon would go to someone else, I can see where that would be a real problem. I wouldn't even want to consider that.
  - m. Jeff Koch – You have to plan ahead a lot more than you do now. I know everyone does plan ahead but now it would be crucial so that there are no surprises.
  - n. Hollie Sintz – That is why we're here.
  - o. Sharon Halcomb – I had two computers crash in one year, how do you plan for that?
  - p. Donald "Butch" Williams – I understand and this is something I complain about, the DLGF knows my name but, just like the letter from DLGF "do it now" boom or we taking the money back. Yet, one the other side two years ago it was June before we even knew if we had a budget.
  - q. Donald "Butch" Williams – The two people that were here from Margaret Mary, I am sure it was hard for them to comprehend. I think they thought well, these guys are leading us down a path but all of us sitting in the room tonight know that is the way it is, we just don't know.
  - r. Carroll Lanning – I would just like to us table this and think about it. Maybe look at it again, read over it maybe there is some wording that needs to be changed. Talk to the officers and see what their opinion is on it and see if there is any additional information.
  - s. Kenneth Rosenberger- Maybe put this on the next meeting's agenda and anyone who has comments can bring it up at that time.
  - t. Robert Runyon – It should be brought up for discussion. And what some of the counties went with.
  - u. Hollie Sintz – Maybe that's what we need to do and see the response.
  - v. Jeff Koch - We tried that.
  - w. Carroll Lanning – Maybe some sort of wording like "in case of emergency". But then you're back to square one.
  - x. Susan Jones- Everybody has worked hard to stay in their budget.
  - y. Carroll Lanning – I think we pretty lucky to have elected officials that really try to hold to the budget as much as possible.
  - z. Donald "Butch" Williams – I think we should table this until the January meeting and see what happens.
- X. Dale Maxie - pay salary ordinance
- a. Donald "Butch" Williams – Now, Dale left. I wish he was here. Is he wanting to change the hours? I think we're all in agreement. He wants to change the hours; he wants to lower the hours. My question is going to is he going to lower the hours and lower the pay accordingly? That is up to us. There was a statement made and he alluded to it and this is the main question I want to ask him. In the Wednesday December 6<sup>th</sup> Brookville Democrat he is quoted as stating former sheriff Eldon Cornelius increased the hours for the two employees from 32.5 per week to 40 per week but did not increase their pay. Well, according to pay records and quite honestly according to Sheriff Eldon Cornelius, that is false. One of those people was a new hire who went full time in 1/1/96 and the other one went full time 1/1/04. The '04 that would have been during Dale's term and the 1/1/96 that was in Eldon's term and they were hired in at 40 hours per week. If you take away what Dale said and Eldon said and just go to the salary ordinance. We don't need to put names with anything to do this. Under the jail line 132 clerical 4126 the base salary is \$24,668.80 based on 40 hours work biweekly rate \$948.80 which calculates to an approximate hourly rate of \$11.86. If you reduce that to 32.5 and at that same salary you come up with \$14.00. Everybody basically has received the same rate in the six years I have been involved. Except for one time when the elected officials received an extra \$1000.00 and then in 2002 we did some adjustments to get first deputies online. Basically all employees receive the same rate. If this person was hired in at 32.5 hours at the \$11.86 because it was said they didn't receive a raise and then they went to 40 hours they would really be complaining because then it would be way down to about \$8.00 an hour. But if they are just wanting to back to it then they will be at the top of the pay scale in all the people working in clerical and accounting. If they were hired in at 32.5 at that high rate then there would have been a lot of commotion about that then too. So, just take the salary ordinance, that doesn't add up.
  - b. Donald "Butch" Williams – It bothers me he admitted to me here, he had to put them back to 32.5 hours per week at the same salary for a year. In my notes it was the same as the courthouse – 36 hours. I just have a problem paying them, paying whatever to take the one position \$24,668.80 a year based on 40 hours and then paying them the same for 32.5 or 34. As I said earlier council makes very few rules but one of the laws/rules we make is the salary ordinance. And it has to be followed. It can be changed if you want to come and change it. But anyhow, before another pay period is written which is this week, we have to say what is going to happen.
  - c. Carol Lanning – which two people are involved?
  - d. Donald "Butch" Williams – This is under the jail department 132, assistant clerical 4125 and clerical 4126 as I understand it. Originally, I was also told 4111 but actually the jail matron is mandated by law that they are to be paid same as the lowest paid sheriff's deputy. Also, they receive longevity. I have consulted with Tammy White of the state board of accounts and since he admitted he changed the hours we have to address this. Really the last paychecks shouldn't have been written. I thought let's try to be reasonable about it. We went through the same thing with the dispatchers a few years ago. The hours changed from 34 to 40 hours and never received pay increase.
  - e. Tracy Littlefield – But, we have never worked 40 hours a week.
  - f. Kenneth Rosenberger – You never worked 40 hours? Before your time they did because I have information at home that the sheriff department always worked 40 hours and the deputies worked 42 hours. One time the deputies got their hours down to 40 hours. But 911 was always 40 hours.
  - g. Tracy Littlefield – That may be before the department established.
  - h. Donald "Butch" Williams – That was why the hours worked were placed on a salary ordinance. It was discovered most people assumed it was 40 hours and they were actually working 34 hours. It clarified so everyone knew what was going on.
  - i. Carroll Lanning – Do you know how much of a raise they got? Did they just get an additional hourly wage?
  - j. Donald "Butch" Williams – Who? They were always 40. Dale says not, Eldon says they were. Pay records say they were.
  - k. Carroll Lanning – I was thinking they were 32.5 then Eldon put 'em at 40. Okay. When he took them down to 34.5 does he have to put in part time help to offset that few hours or not?
  - l. Donald "Butch" Williams - Well, I have to look.
  - m. Carroll Lanning – It is costing the county more money for the part time help in there. Somebody has to be and it seems it would be costing money.
  - n. Donald "Butch" Williams – He's budgeted \$9,949.00 for part time.
  - o. Carroll Lanning – But we don't know if he is using this for vacation time and things like that or filling in for the 12 hours a week not being used by the clerical. That's my objection, there. He did or did not put them back to 40 hours?
  - p. Jeff Koch – Did he ever say why the change?
  - q. Donald "Butch" Williams – This has to be decided before we approve the salary ordinance for next year. I have no problem going down the hours. I am not going to micro manage anybody's office if they can get it done in less hours and don't need more part time, that suits me. But I do have an objection on reducing hours and not reducing the pay.
  - r. Kenneth Rosenberger - I move that we, it is prerogative to his to change hours and if he wants to change the hours to 32.5 then he needs to adjust the pay down to compensate for our rate.
  - s. Jeff Koch – You're saying leave the hourly rate the same?
  - t. Kenneth Rosenberger – right.
  - u. Donald "Butch" Williams – You're making that motion?
  - v. Kenneth Rosenberger – Yes, sir.

- w. Donald "Butch" Williams – Kenny has made a motion that the sheriff can reduce the hours at his prerogative but to follow the hours worked with the hourly rate as calculated now.
- x. Kenneth Rosenberger – correct
- y. Donald "Butch" Williams – does anyone second
- z. Jeff Koch - seconds
- aa. Donald "Butch" Williams – Jeff Koch seconds the motion. All in favor signify by saying aye 3. Opposed 3.
- bb. Carroll Lanning - I would like to see Dale put back to 40 hours. I mean here it is Christmas time and everything it is a bad time of year to get a cut in pay. I don't think it fair to the employees. Dale needs to see what their opinion is. Either you are going to have to work 40 hours or get your pay cut. I don't think its fair for us to sit here and cut somebody's pay without them knowing it unless Dale's talked to them about it.
- cc. Donald "Butch" Williams – Well would you want to make your motion to that effect?
- dd. Carroll Lanning – I would make the motion Dale puts them back to 40 hours until the first the year and until we have a chance to talk to the employees. So they know the situation. I don't know if they know the situation. Did Dale tell them?
- ee. Donald "Butch" Williams – Basically, what you're saying is we don't want to cut their pay if they are working 40 hours.
- ff. Carroll Lanning – Right that is what I am saying. I would like to see Dale put them back to 40 hours until the first of the year until Dale talks to them. So they know what's coming up and talk to council
- gg. Hollie Sintz – So you want Dale to come back to the council meeting.
- hh. Carroll Lanning- He needs to be at the next meeting, so we can see if he has talked the people involved so they know if they are going to work 32.5 hours they are going to get less money. That is a more professional way to do it.
- ii. Jeff Koch - With that being said, what do we do in the mean time?
- jj. Carroll Lanning – I would like to or I don't know if the commissioners could talk to him and say Dale go ahead and work them 40 hours for the next few weeks then we'll get this straightened out at the first of the year.
- kk. Carroll Lanning- I guess I make a formal motion that we contact Dale ask to back to 40 hours until we get this thing straightened out
- ll. Robert Runyon - seconds
- mm. Donald "Butch" Williams - all in favor? One abstention - motion carried

#### XI. Over budget

- a. Sandy Baxter – I am concerned with the over budget amount that the jail has for utilities. I am not saying they shouldn't paid because I know they have to be paid to keep the jail operating obviously, but at the same time our office can't have any account or fund in the red. With everything that is in and if there aren't any more claims turned in tomorrow which is the due date for the end of the year he's already in \$4,854.81 in the red. I am really stuck with what to do.
- b. Donald "Butch" Williams – And there's been no additional submitted?
- c. Sandy Baxter – there was one additional for \$6,000.00 but even with that additional....
- d. Donald "Butch" Williams – but there has been no other additional submitted?
- e. Sandy Baxter – not that I am aware.
- f. Sandy Baxter – I know they have to be paid. I just don't know what to do because they are in the red.
- g. Robert Runyon – Maybe we shouldn't pay them?
- h. Sandy Baxter – We're not supposed to. I've been going ahead and writing the checks but I'm (not) releasing the checks until the money is in there.
- i. Donald "Butch" Williams – he would need to ask for another additional to pay for the utilities? But it is too late.
- j. Hollie Sintz - is there anything left in the rainy day fund Susan, after you get done paying everything that is budgeted out of there?
- k. Susan Jones - There is some remaining if we want to.
- l. Jeff Koch – I'd say we want to.
- m. Susan Jones – I suggested that a couple weeks ago.
- n. Donald "Butch" Williams – So what do we have do then to do that? A transfer?
- o. Susan Jones - Can't you just take it out of the jail house budget?
- p. Donald "Butch" Williams – I don't know, that's where it's going to come from but what is the paper trail that needs to be done? What is the legal thing that has to be done? That is all I am asking.
- q. Susan Jones – Are you going to use the jail house budget and put it in the jail budget?
- r. Donald "Butch" Williams – Probably. Well the jail doesn't come under the commissioner's budget does it?
- s. Sandy Baxter – It is all in the county general but it is a different budget.
- t. Hollie Sintz – How much do you think we need in the rainy day fund though? I mean just about? We thought we were going to deplete the rainy day fund anyway.
- u. Robert Runyon – How much is the total?
- v. Sandy Baxter – How much is the total? It is \$4,854.81. I have got three to pay that would be paid out on the 18<sup>th</sup> that aren't entered yet, but that is included in that total.
- w. John Estridge – Is there anything emergency wise?
- x. Donald "Butch" Williams – I am not sure John. There has to be something.
- y. John Estridge – When the board did that, they would have to do their thing emergency basis to pay for it.
- z. Donald "Butch" Williams - Well, we made plans for what to do with it. But the bill wouldn't have to paid immediately. Quite honestly, the board went down in September or October and there was no money paid for that until the last day in December and the final payment wasn't until May.
- aa. John Estridge – You would think there something written into code somewhere so you would be able to on an emergency basis be able to get money without having to go through lengthy process.
- bb. Donald "Butch" Williams – Well, I don't know. The question will have to be asked to somebody who's not here. I don't know the answer but, we're gonna have to pay the utility bills somehow. Had we known in time, I don't think there would have been a problem with doing it, we didn't know it. One thing Hollie mentioned we intended to deplete the rainy day fund, but we can't deplete the rainy day fund because we put money in there from what was left over from the jail thing.
- cc. Jeff Koch – What was that? Twenty some thousand?
- dd. Donald "Butch" Williams – I forget, I think it was more than that. Can you make up a transfer and we do a transfer out of the 1350 and 4149 which is for insurance, transfer that into utilities 4350 and then we pay the utilities out of the rainy day fund for the jail? Can we do that? We'll do that tonight and then you can send the checks.
- ee. Sandy Baxter – What happens if they turn another one tomorrow, because actually the deadline for all utilities for the end of the year is actually tomorrow. So they still have one more day to turn in a monthly utility.
- ff. Donald "Butch" Williams – If we approved it at the end of the month, would that work alright? Okay. So we're gonna have to plan a short meeting between Christmas and New Years to catch up these odds and ends and that would be one thing we would have to approve a transfer in the rainy day fund to pay the utilities for the jail.
- gg. We just got notice the utilities are going to be cut off, she is holding the checks.
- hh. Sandy Baxter – Sally said she didn't have anymore to turn in, but we don't know between the time she turned in the other claims and now if there are more. Who knows.
- ii. Susan Jones – Couldn't we just do a transfer tonight for what's there and a maybe a little bit extra and then we would be covered.
- jj. Donald "Butch" Williams – Do we want to go ahead and fix the transfers up and we'll approve that much tonight. If they submit another one, we'll handle that at the last meeting? Alright.

#### XII. Robert Runyon leaving

- a. Donald "Butch" Williams – Mr. Runyon, I just wanna say it has been a joy to serve with you for the last four years. Your position, your personality is going to be missed. And we’re gonna miss Linda too.
  - b. Robert Runyon – She keeps me out of trouble. I thought about asking her some questions when I was thinking of talking, but then I thought I better not.
  - c. Donald "Butch" Williams – So, on behalf of all the council we want to give you this little token of our appreciation and thanks. We wish you luck. We’re gonna miss you, come back and see us.
  - d. Robert Runyon – I want to say I enjoyed working with the council, the commissioners, the department heads and the way everybody has worked together. It is so important. I am just proud to know people and working with them. It has been a wild ride at times but it has been enjoyable and a memory. It would be hard to get me to shut up now. But the guy who is taking my place, I know you will all work with him – Brad Spurlock. He is a good guy. If you have patience with him the way you did me, then it will work just fine.
- XIII. Transfer of Funds (**Resolution 2006-35**)
- a. Donald "Butch" Williams – reads resolution. From rainy day health insurance to rainy day utilities \$5,000.00. Signed by Louie Linkel and this it to pay the utilities for the jail that are due. Do I have a motion?
  - b. Carroll Lanning – I’ll make a motion that we approve Resolution 2006-35.
  - c. Robert Runyon - seconds
  - d. Donald "Butch" Williams – All in favor signify by saying aye, opposed same sign. Motion carried.
- XIV. Next meeting
- a. Donald "Butch" Williams - December 26, 2006. Can everyone do this?
  - b. All good
- XV. Article in the newspaper
- a. Sandy Baxter – I also have one more thing Carol (M. Monroe) wanted me to discuss at this meeting. I think everyone got a copy of the article from the Connersville News Examiner on how they pay bills in Fayette County, I don’t know if everybody got it or not. Basically, the way I understood it if there isn’t any money in the account whether you have an additional in or a transfer in if its not actually in the account fund then they just don’t pay. They have to roll to the next month. She wanted me to mention that because we do spend a lot of time going back to see if there are transfers covering something or an additional is covering something and it takes a lot of time away from other things that need to be done in accounts payable. I have a claim that was turned in two different months for the exact same thing with two different dates but these people got paid twice. Now I have to do a stop payment on 40 some people and get all these checks back from people who shouldn’t have got them. There is no way for the computer to tell me they were paid twice because there is two separate dates. She thought this would help eliminate some of the problems.
  - b. Robert Runyon – They’re supposed to revisit that subject in January.
  - c. Sandy Baxter - That is probably not the same as your ordinance, in other words when I am entering them into the computer if it comes up and says they’re over budget it automatically does not get paid because the money is not in there.
  - d. Donald "Butch" Williams – I will contact the council person who has done this to see or get more details.
  - e. Jeff Koch – Does this do what we were wanting to do? So we don’t have surprises in the utility bills
  - f. Donald "Butch" Williams – Right. Okay, thank you Sandy.
- XVI. Adjourn
- a. Kenneth Rosenberger – move to adjourn meeting
  - b. Jeff Koch – seconds the motion
  - c. Donald "Butch" Williams – all in favor; “outa here”

Those also present:

Linda Runyon	JoAnn Suttong	Susan Jones	John Estridge, Whitewater Publications	Marilyn Miller
Sandy Baxter	Marilyn Miller	Gary Frost	Tracy Littlefield	Ruth Estridge
Don Vonder Meulen	Sharon Newi	Joe Fasbinder	Susan Jones	Eric Roberts

To be approved 01/23/07